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ship Company. Judgment for the plaintiff, and defendant brings error. Amended and affirmed.

J. Boyd Sears, of Mathews, and *J. D. Hank, Jr.*, of Richmond, for plaintiff in error.

Wm. C. L. Taliaferro, of Hampton, for defendant in error.

KARABALIS *v.* E. I. DU PONT DE NEMOURS & CO.

Jan. 20, 1921.

[105 S. E. 755.]

1. Constitutional Law (§ 245*)—Legislature under Police Power Could Classify Employers in Fixing Liability for Injuries to Employees.—In view of Const. 1902, § 162, the Legislature had constitutional authority in the exercise of the state's police power to make a classification in Employer's Liability Act, based on a distinction between employees of corporations and of partnerships or private persons engaged in the same or similar business, and between employees of railroads which are common carriers and of parties operating railroads as incidental to private business, and such classification, being within the legitimate exercise of legislative discretion, is valid in the purview of the equal protection clause of Const. U. S. Amend. 14.

[Ed. Note.—For other cases, see 3 Va.-W. Va. Enc. Dig. 202, 229.]

2. Statutes (§ 225*)—Meaning of Words Found by Considering Similar Statutes.—In construing a statute the legislative meaning of the words must be found by considering them in the light of other legislation in the particular state on the same subject and other existing general legislation.

[Ed. Note.—For other cases, see 12 Va.-W. Va. Enc. Dig. 761.]

3. Master and Servant (§ 180 (2, 3)*)—Statutory Liability of "Railroad" Inapplicable to Manufacturing Corporation Operating Private Railroad.—Only railroad common carrier employees, and not employees of a manufacturing corporation operating a private railroad, are embraced in the class of employees specified in Employers' Liability Act 1912, p. 583 (Code 1904, § 1294—k; Code 1919, §§ 5791-5796), making a "railroad" corporation liable for an employee's injury from the negligence of a coemployee, as provided in Const. 1902, § 162, abolishing the fellow servant doctrine as to employees of railroads whose powers and duties are defined by sections 3856, 3936, 3945, 3955, 3971, 3994, 3995, 3998 of the Code of 1919.

[Ed. Note.—For other cases, see 16 Va.-W. Va. Enc. Dig. 879.]

4. Master and Servant (§ 216 (4)*)—Risk of Injury by Fellow

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.

Servant in Other Department Assumed.—Counts in a declaration alleging that injury to servant was due to changing conditions at his place of work, occurring in the progress of the work of other servants in a different department, which was so near him that the probability of contact and danger was obvious, but not alleging circumstances showing negligence of the master in foreseeing and guarding against natural and probable results from acts of fellow servants, nor alleging defect in design or plan of construction contributing to the fall of an iron pipe causing the injury, held not to state a cause of action, because the risk of injury by fellow servants was assumed.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 718, 719.]

5. Master and Servant (§ 150 (5)*)—Warning Held Not Required by Changing Conditions.—A count alleging that the servant's injury was caused by the master's failure to discharge the duty to warn, arising from changing conditions at place of work, held bad on demurrer, since the facts imposed no such duty on the master.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 720.]

6. Master and Servant (§ 92 (1)*)—Master Voluntarily Undertaking to Furnish Medical Attention Must Use Care.—A declaration in an action for servant's death, alleging that defendant employer undertook to furnish hospital and medical attention, and breached that duty by turning the servant out of the hospital too soon and leaving him without attention, held to state a cause of action, defendant, being under duty to use some degree of care in discharging the voluntary undertaking.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 718.]

Appeal from Circuit Court, Prince George County.

Action by George Karabalis, administrator of Nick Karabalis, deceased, against E. I. Du Pont de Nemours & Co. From the action of the court in striking out parts of the amended declaration and sustaining defendant's demurrer to the remainder thereof the plaintiff appeals. Reversed and remanded, with leave to plaintiff to amend certain counts in the declaration.

D. H. & Walter Leake and *Scott & Buchanan*, all of Richmond, and *Penn & Noble*, of Hopewell, for plaintiff in error.

Plummer & Bohannon, of Petersburg, for defendant in error.

CONNER et al. v. WEST

Jan. 20, 1921.

[105 S. E. 762.]

1. Principal and Surety (§ 71*)—Bond of Bank Cashier Not Limited as to Duration.—Bond of a cashier of a bank held to cover a con-

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.